

In the Supreme Court of the State of Idaho

IN RE: AMENDMENT OF)
MISDEMEANOR CRIMINAL RULES) ORDER
5(c), 6(e), 9.1(c), 13(b) and 14(b))
_____)

The 2010 Idaho Legislature having passed House Bill 687, and the Court having reviewed proposed amendments by the Misdemeanor / Infraction Rules Advisory Committee to the Misdemeanor Criminal Rules, and the Court having fully considered the same;

NOW, THEREFORE, IT IS HEREBY ORDERED that the Misdemeanor Criminal Rules as they appear in the volume published by the Idaho Code Commission be, and they are hereby, amended as follows:

1. That Misdemeanor Criminal Rule 5(c) be, and the same is hereby, amended to read as follows:

Rule 5. Uniform citation – Issuance – Service – Form – Number -- Distribution.

(c) **Service of a Citation.** Service of a citation may be made by the defendant signing a written promise to appear on the citation at the time indicated, but if the defendant fails or refuses to sign the written promise to appear, or an electronic citation is issued, a peace officer may serve the citation on the defendant by personal delivery to the defendant and indicate such service on the face of the citation.

2. That Misdemeanor Criminal Rule 6(e) be, and the same is hereby, amended to read as follows:

Rule 6. First appearance of defendant – Plea of a defendant – Trial date notice or continuance notice.

(e) **Trial Date Notice or Continuance Notice.** Whenever a defendant is given a trial date setting or a continuance at or after the defendant's first appearance, such notice shall be given by a written notice delivered to the defendant in substantially the following form:

(1) **Trial Date Notice:**

[Court Heading]
STATE OF IDAHO)
)
Plaintiff,)
vs.)
_____,) TRIAL DATE NOTICE
)
Defendant.)
)
DOB: _____)
DL or SSN: _____ (State) _____)

NOTICE IS HEREBY GIVEN to the above Defendant that the trial before the court has been set for the charge against you at _____ o'clock ____ .M. on the ____ day of _____ 19 20 _____, in the courtroom of the above court.

(2) **Continuance Notice:**

[Court Heading]
STATE OF IDAHO)
)
Plaintiff,)
vs.)
_____,) CONTINUANCE NOTICE
)
Defendant.)
)
DOB: _____)
DL or SSN: _____ (State) _____)

NOTICE IS HEREBY GIVEN to the above Defendant that proceedings on the charge against you have been continued until _____ o'clock ____ .M. on the ____ day of _____ 19 20 _____, in the courtroom of the above court.

3. That Misdemeanor Criminal Rule 9.1(c) be, and the same is hereby, amended to read as follows:

Rule 9.1. Suspension of driver's license upon conviction of offense authorizing or requiring suspension of license – Suspension upon plea or finding of guilty of

offense – Notice of increased penalty on subsequent violations – Temporary restricted license.

(c) **Notification of penalties for subsequent violations.** After plea or finding of guilty on an offense in violation of Section 18-8004, Idaho Code, the court shall at or before the time of sentencing or granting a withheld judgment deliver to the defendant a written notice advising the defendant as to the penalties that may be imposed for subsequent violations of that statute. The notice shall be signed by the defendant and retained by the court, a copy shall be mailed to the prosecuting attorney and a copy shall be delivered to the defendant which shall be in substantially the following form:

	[Court Heading]	
STATE OF IDAHO)	
)	
Plaintiff,)	
vs.)	
_____ ,)	NOTIFICATION OF PENALTIES
)	FOR SUBSEQUENT VIOLATION
Defendant.)	
)	
DOB: _____)	
DL or SSN: _____ (State) _____)	

4. That Misdemeanor Criminal Rule 13(b) be, and the same is hereby, repealed in its entirety and a NEW Rule13(b) adopted as follows:

Rule 13. Bail schedules.

(b) **Bail bond schedule.** Except as provided above, the bail bond required for specific alleged offenses pending arraignment or trial shall be as follows:

Idaho Code	Offense	Bail Bond
(1) MOTOR VEHICLE OFFENSES:		
49-218	Operating motor vehicle as emergency vehicle	\$ 186.00
49-221	Failure to remove traffic sight obstruction	256.00

49-227	Driving without owner's consent	260.00
49-229	Injuring or destroying vehicle	260.00
49-230	Tampering with vehicle	256.00
49-235	Operating motor vehicle after notice of unsafe condition	260.00
49-1301(1)	Failure to remain at accident scene	300.00
49-1302	Failure to give information and aid at accident	300.00
49-1303	Failure to notify owner of unattended vehicle at accident	300.00
49-1304	Failure to give notice to owner of property adjacent to highways at accident	244.00
49-1305	Failure to give immediate notice of \$1500 accident	300.00
49-1401(1)	Reckless driving	300.00
49-1401(3)	Inattentive driving	260.00
18-8004	Driving under the influence (First Offense)	
	Resident	500.00
	Nonresident	2,000.00
18-8004	Driving Under the Influence (Second Offense)	
	Resident	1,000.00
	Nonresident	3,000.00
18-8004C	Driving Under the Influence (Enhanced Penalty)	
	Resident	1,000.00
	Nonresident	3,000.00
49-1403	Knowingly permit operation of motor vehicle contrary to law	161.00
49-1404	Fleeing or attempting to elude police officer	300.00
49-1415	Illegal cancellation or soliciting cancellation of traffic citation	206.00
49-1419	Failure to obey traffic officer	161.00
49-1421	Driving on or across median of divided highway	151.00
49-1422	Passing stopped school bus	260.00

49-1424	Racing on public highways	256.00
18-3906	Littering highway from vehicle	171.00
(2) LICENSES, REGISTRATION AND INSURANCE OFFENSES:		
(A) License Offenses		
49-301	No license or invalid license	206.00
49-316	Failure to carry license (dismissed if license shown)	151.00
49-331(1)	Displaying mutilated or fictitious license	186.00
49-331(2)	Lending or permitting use of license by another	206.00
49-331(3)	Displaying a license of another as one's own	256.00
49-331(4)	Failure to surrender license when revoked or suspended	256.00
49-331(5)	Use of false or fictitious name in application for license, or concealing material facts	500.00
49-331(6)	Permitting any unlawful use of License	256.00
49-432	Operating a vehicle without a permit Single Vehicle Combination of vehicles	260.00 362.00
49-432(2)(a)	Operating vehicle without 120 hour permit to increase gross weight	312.00
49-432(2)(b)	Operating vehicle without 30 day permit to increase gross weight	562.00
49-432(3)	Exceeding the number of temporary permits allowed in a calendar year	300.00
49-1627(2)	Unlawful use of dealer plates	256.00
18-8001	Driving without privileges (First offense) Idaho resident Nonresident	500.00 2,000.00
18-8001	Driving without privileges (Second offense) Idaho resident Nonresident	1,000.00 3,000.00

18-8001	Driving without privileges (Third offense) Idaho resident	2,000.00
	Nonresident	4,000.00
 (B) Registration and Title Offenses		
49-519(1)	Operating vehicle without certificate of title	256.00
49-519(2)	Operating vehicle for which certificate of title is canceled	256.00
 (C) Insurance Offenses		
49-1210	Registration of vehicle without insurance certificate	256.00
49-1229	Failure of owner of vehicle to maintain liability insurance (Second or subsequent offense within 5 year period only)	260.00
49-1232	Failure to carry proof of liability insurance in vehicle (Second or subsequent offense within 5 year period only)	260.00
49-1428	Operating a motor vehicle without liability insurance (Second or subsequent offense within 5 year period only)	260.00
49-1429	False or altered insurance certificate	500.00
49-1430	Forged insurance certificate	500.00
 (3) SIZE, WEIGHT AND D.L.E. OFFENSES:		
40-511(1)	Failure to stop at ports of entry or checking stations	256.00
49-1001(8)	Violation of travel authorization	256.00
49-1001, and 49-1002, and 49-1004, and 49-1005 and 49-438	Exceeding highway load limit plus pounds overweight (Effective July 1, 1995, Violations of 49-1001, 49-1002, 49-1004 and 49-1005 and 49-438 with an overweight between 1 and 4000 pounds is an infraction) Penalties are increased for multiple misdemeanor violations, see I.C. 49-1-13(4).	137.50

Pounds
overweight:

Bail Bond

4,001 -	4,119	\$ 27.00
4,120 -	4,219	41.00
4,220 -	4,319	54.00
4,320 -	4,419	67.00
4,420 -	4,519	81.00
4,520 -	4,619	94.00
4,620 -	4,719	108.00
4,720 -	4,819	121.00
4,820 -	4,919	134.00
4,920 -	5,019	148.00
5,020 -	5,119	161.00
5,120 -	5,219	175.00
5,220 -	5,319	188.00
5,320 -	5,419	202.00
5,420 -	5,519	215.00
5,520 -	5,619	228.00
5,620 -	5,719	242.00
5,720 -	5,819	255.00
5,820 -	5,919	269.00
5,920 -	6,019	282.00
6,020 -	6,119	295.00
6,120 -	6,219	309.00
6,220 -	6,319	322.00
6,320 -	6,419	336.00
6,420 -	6,519	349.00
6,520 -	6,619	362.00
6,620 -	6,719	376.00
6,720 -	6,819	389.00
6,820 -	6,919	403.00
6,920 -	7,019	416.00
7,020 -	7,119	429.00
7,120 -	7,219	443.00
7,220 -	7,319	456.00
7,320 -	7,419	470.00
7,420 -	7,519	483.00
7,520 -	7,619	497.00
7,620 -	7,719	510.00
7,720 -	7,819	523.00
7,820 -	7,919	537.00
7,920 -	8,019	550.00
8,020 -	8,119	564.00
8,120 -	8,219	577.00
8,220 -	8,319	590.00
8,320 -	8,419	604.00
8,420 -	8,519	617.00
8,520 -	8,619	631.00
8,620 -	8,719	644.00
8,720 -	8,819	657.00
8,820 -	8,919	671.00
8,920 -	9,019	684.00
9,020 -	9,119	698.00
9,120 -	9,219	711.00
9,220 -	9,319	725.00
9,320 -	9,419	738.00
9,420 -	9,519	751.00
9,520 -	9,619	765.00
9,620 -	9,719	778.00
9,720 -	9,819	792.00

9,820 -	9,919	805.00
9,920 -	10,019	818.00
10,020 -	10,119	832.00
10,120 -	10,219	845.00
10,220 -	10,319	859.00
10,320 -	10,419	872.00
10,420 -	10,519	885.00
10,520 -	10,619	899.00
10,620 -	10,719	912.00
10,720 -	10,819	926.00
10,820 -	10,919	939.00
10,920 -	11,019	952.00
11,020 -	11,119	966.00
11,120 -	11,219	979.00
11,220 -	11,319	993.00
11,320 -	11,419	1,006.00
11,420 -	11,519	1,020.00
11,520 -	11,619	1,033.00
11,620 -	11,719	1,046.00
11,720 -	11,819	1,060.00
11,820 -	11,919	1,073.00
11,920 -	12,019	1,087.00
12,020 -	12,119	1,100.00
12,120 -	12,219	1,113.00
12,220 -	12,319	1,127.00
12,320 -	12,419	1,140.00
12,420 -	12,519	1,154.00
12,520 -	12,619	1,167.00
12,620 -	12,719	1,180.00
12,720 -	12,819	1,194.00
12,820 -	12,919	1,207.00
12,920 -	13,019	1,221.00
13,020 -	13,119	1,234.00
13,120 -	13,219	1,247.00
13,220 -	13,319	1,261.00
13,320 -	13,419	1,274.00
13,420 -	13,519	1,288.00
13,520 -	13,619	1,301.00
13,620 -	13,719	1,315.00
13,720 -	13,819	1,328.00
13,820 -	13,919	1,341.00
13,920 -	14,019	1,355.00
14,020 -	14,119	1,368.00
14,120 -	14,219	1,382.00
14,220 -	14,319	1,395.00
14,320 -	14,419	1,408.00
14,420 -	14,519	1,422.00
14,520 -	14,619	1,435.00
14,620 -	14,719	1,449.00
14,720 -	14,819	1,462.00
14,820 -	14,919	1,475.00
14,920 -	15,019	1,489.00
15,020 -	15,119	1,504.00
15,120 -	15,219	1,524.00
15,220 -	15,319	1,544.00
15,320 -	15,419	1,564.00
15,420 -	15,519	1,584.00
15,520 -	15,619	1,604.00
15,620 -	15,719	1,624.00
15,720 -	15,819	1,644.00
15,820 -	15,919	1,664.00

15,920 -	16,019	1,684.00
16,020 -	16,119	1,704.00
16,120 -	16,219	1,724.00
16,220 -	16,319	1,744.00
16,320 -	16,419	1,764.00
16,420 -	16,519	1,784.00
16,520 -	16,619	1,804.00
16,620 -	16,719	1,824.00
16,720 -	16,819	1,844.00
16,820 -	16,919	1,864.00
16,920 -	17,019	1,884.00
17,020 -	17,119	1,904.00
17,120 -	17,219	1,924.00
17,220 -	17,319	1,944.00
17,320 -	17,419	1,964.00
17,420 -	17,519	1,984.00
17,520 -	17,619	2,004.00
17,620 -	17,719	2,024.00
17,720 -	17,819	2,044.00
17,820 -	17,919	2,064.00
17,920 -	18,019	2,084.00
18,020 -	18,119	2,104.00
18,120 -	18,219	2,124.00
18,220 -	18,319	2,144.00
18,320 -	18,419	2,164.00
18,420 -	18,519	2,184.00
18,520 -	18,619	2,204.00
18,620 -	18,719	2,224.00
18,720 -	18,819	2,244.00
18,820 -	18,919	2,264.00
18,920 -	19,019	2,284.00
19,020 -	19,119	2,304.00
19,120 -	19,219	2,324.00
19,220 -	19,319	2,344.00
19,320 -	19,419	2,364.00
19,420 -	19,519	2,384.00
19,520 -	19,619	2,404.00
19,620 -	19,719	2,424.00
19,720 -	19,819	2,444.00
19,820 -	19,919	2,464.00
19,920 -	20,019	2,484.00
20,020 -	20,119	2,506.00
20,120 -	20,219	2,536.00
20,220 -	20,319	2,566.00
20,320 -	20,419	2,596.00
20,420 -	20,519	2,626.00
20,520 -	20,619	2,656.00
20,620 -	20,719	2,686.00
20,720 -	20,819	2,716.00
20,820 -	20,919	2,746.00
20,920 -	21,019	2,776.00
21,020 -	21,119	2,806.00
21,120 -	21,219	2,836.00
21,220 -	21,319	2,866.00
21,320 -	21,419	2,896.00
21,420 -	21,519	2,926.00
21,520 -	21,619	2,956.00
21,620 -	21,719	2,986.00
21,720 -	21,819	3,016.00
21,820 -	21,919	3,046.00
21,920 -	22,019	3,076.00

22,020 -	22,119	3,106.00
22,120 -	22,219	3,136.00
22,220 -	22,319	3,166.00
22,320 -	22,419	3,196.00
22,420 -	22,519	3,226.00
22,520 -	22,619	3,256.00
22,620 -	22,719	3,286.00
22,720 -	22,819	3,316.00
22,820 -	22,919	3,346.00
22,920 -	23,019	3,376.00
23,020 -	23,119	3,406.00
23,120 -	23,219	3,436.00
23,220 -	23,319	3,466.00
23,320 -	23,419	3,496.00
23,420 -	23,519	3,526.00
23,520 -	23,619	3,556.00
23,620 -	23,719	3,586.00
23,720 -	23,819	3,616.00
23,820 -	23,919	3,646.00
23,920 -	24,019	3,676.00
24,020 -	24,119	3,706.00
24,120 -	24,219	3,736.00
24,220 -	24,319	3,766.00
24,320 -	24,419	3,796.00
24,420 -	24,519	3,826.00
24,520 -	24,619	3,856.00
24,620 -	24,719	3,886.00
24,720 -	24,819	3,916.00
24,820 -	24,919	3,946.00

Overweight amounts beyond those listed shall be calculated at \$2,500 plus \$.30 per pound for each pound over 20,000 pounds overweight rounded down to the nearest dollar.

Idaho Code	Offense	Bail Bond
49-1004	Failure to obtain overweight or oversize permit	206.00
49-1010(1)	Over width violation	256.00
49-1010(2)	Over height violation	256.00
49-1010(3)	Over length violation	256.00
49-1012	Moving farm equipment after dark without lights or flagman requirements	256.00
49-1427	Transporting explosives without required notices and equipment	401.00
49-2203	Failure to obtain endorsement for transporting hazardous material	201.00
67-2901A	Specific violations of Dept. of Law Enforcement rules:	
	Rule 18 - Any dangerous & hazardous material violation	401.00

	Rule 19 - Safety violations	401.00
	Serious or hazardous material	
	safety violations as noted on the	
	citation	
	Rule 19 - Disqualified driver of	
	commercial vehicle	401.00
	All other violations of Dept. of Law	
	Enforcement rules:	181.00
63-2441	Special Fuel Permit Violation	362.00

(4) WATER AND WATERCRAFT OFFENSES:

67-7016	Grossly negligent operation of watercraft	300.00
67-7017	Negligent operation of watercraft	256.00
67-7025	Interfering with other watercraft	196.00
67-7026	Operating watercraft in restricted area	256.00
67-7027	Failure to report collisions, accidents and casualties	300.00
67-7033 (3)	Operating watercraft while suspended	
	Idaho resident	500.00
	Nonresident	2,000.00
67-7034	Operating watercraft under the influence	
	Idaho resident	500.00
	Nonresident	2,000.00

(5) FISH AND GAME OFFENSES: The amount of bail for any alleged fish or game offense shall be the sum of \$171.00, except for certain specific violations which shall have bail in the following amounts:

(A) Big Game Violations

36-401	Hunting big game without a valid license	
	Idaho Resident	200.00
	Nonresident	500.00
36-405 (c) (2) (B)	Transfer/Use of big game animal tag belonging to another person	
	Idaho resident	200.00
	Nonresident	500.00
36-409 (c)	Hunt big game animal without appropriate tag, permit	
	Deer, bear, mountain lion, antelope	
	Idaho resident	200.00
	Nonresident	500.00
	Elk	
	Idaho resident	200.00
	Nonresident	500.00

	Moose, sheep, goat	500.00
	Idaho resident	
	Nonresident	1,500.00
36-409(d)	Failure to validate or attach own tag to big game animal:	
	Deer, antelope, bear and mountain lion	
	Idaho resident	200.00
	Nonresident	250.00
	Goat, elk, sheep, moose and caribou	
	Idaho resident	250.00
	Nonresident	500.00
36-502 and 36-1402(e) and 36-1404(a)	Possession of unlawfully taken big game (per animal)	
	Deer, antelope, bear and mountain lion	
	Idaho resident	400.00
	Nonresident	1,000.00
	Trophy animals (when flagrant violation applies)	2,000.00
	Elk	
	Idaho resident	800.00
	Nonresident	1,500.00
	Trophy animals (when flagrant violation applies)	5,000.00
	Goat, sheep, moose and caribou	
	Idaho resident	1,500.00
	Nonresident	2,000.00
	Trophy animals (when flagrant violation applies)	10,000.00
36-502	Possess or transport big game animal improperly tagged	
	Deer, antelope, black bear and mountain lion	200.00
	Goat, elk, sheep, moose and caribou	400.00
36-1101	Hunt big game animals during closed season (per animal)	
	Deer, antelope, black bear and mountain lion	
	Idaho resident	200.00
	Nonresident	500.00
	Elk	
	Idaho resident	300.00
	Nonresident	1,000.00
	Goat, sheep, moose and caribou	
	Idaho resident	500.00
	Nonresident	1,500.00
36-1101, 36-1402(e) and 36-1404(a)	Kill big game animals during closed season (per animal)	
	Deer, antelope, black bear and mountain lion	
	Idaho resident	400.00
	Nonresident	1,000.00
	Trophy animals (when flagrant violation applies)	2,000.00

	Elk		800.00
	Idaho resident		1,500.00
	Nonresident		
	Trophy animals (when flagrant violation applies)		5,000.00
	Goat, sheep, moose and caribou		
	Idaho resident		1,500.00
	Nonresident		2,000.00
	Trophy animals (when flagrant violation applies)		10,000.00
36-1101 and 36-1404 (a)	Exceed big game bag limit (by one (1) animal (per animal)		
	Deer, antelope, bear and mountain lion		
	Idaho resident		400.00
	Nonresident		1,000.00
	Elk		
	Idaho resident		800.00
	Nonresident		1,500.00
	Goat, sheep, moose and caribou		
	Idaho resident		1,500.00
	Nonresident		2,000.00
36-1101, 36-1402(e) and 36-1404 (a)	Exceed big game bag limit by two (2) or more animals - Flagrant violation (per animal)		1,500.00
	Trophy Animals		
	Deer, antelope, bear, and mountain lion		2,000.00
	Elk		5,000.00
	Goat, sheep, moose, caribou		10,000.00
36-1101, 36-1402(e) and 36-1404 (a)	Take big game animal with modern firearm during archery/muzzle loader-only hunt - Flagrant violation (per animal(s))		1,500.00
	Trophy Animals		
	Deer, antelope		2,000.00
	Elk		5,000.00
	Goat, sheep, moose, caribou		10,000.00
36-1202	Waste of big game animal (per animal)		
	Idaho resident		500.00
	Nonresident		1,500.00
36-1202, 36-1402(e) and 36-1404 (a)	Waste of big game animal Flagrant Violations - Trophy Animals		
	Deer, antelope		2,000.00
	Elk		5,000.00
	Goat, sheep, moose, caribou		10,000.00
36-1202	Waste of upland game animal		
	Idaho Resident		175.00
	Nonresident		250.00

(B) Upland and Migratory Game Bird Violations

36-401	Hunting game birds without a valid license	
	Idaho resident	200.00
	Nonresident	300.00
36-502 and	Possess unlawfully taken game birds	
36-1404 (a)	Turkey, whistling swan and trumpeter swan	
	Idaho resident	200.00 + 25.00/bird
	Nonresident	250.00 + 25.00/bird
	All other species	150.00 + 25.00/bird
36-1101	Hunting game birds during closed season	
	Idaho resident	200.00
	Nonresident	500.00
36-1102 (b) 1 and 36-1902	Hunt, take or possess migratory birds contrary to Federal regulations	
	Eagles and swans	300.00/bird
	Hawks, owls and falcons	200.00/bird
	Geese and ducks	150.00 + 25.00/bird
36-1202	Waste of game bird	
	Idaho resident	150.00 + 25.00/bird
	Nonresident	250.00 + 25.00/bird

(C) Fishing Violations

36-401	Fishing without a valid license	
	Salmon, steelhead and sturgeon	200.00
	All other species	171.00
36-502 and 36-1404	Possess unlawfully taken fish	
	Salmon, steelhead and bull trout	
	Idaho resident	200.00/fish
	Nonresident	300.00/fish
	Sturgeon	
	Idaho resident	500.00/fish
	Nonresident	1,000.00/fish
	All other species	150.00 + 25.00/fish
36-901 and 36-1202 and 36-1404 (a)	Exceed bag or possession limit for fish and waste of game fish	
	Salmon, steelhead and bull trout	
	Idaho resident	200.00/fish
	Nonresident	300.00/fish
	Sturgeon	
	Idaho resident	500.00/fish
	Nonresident	1,000.00/fish
	All other species	150.00 + 25.00/fish
36-901	Fishing during closed season	
	Salmon, steelhead, sturgeon and bull trout	300.00
	All other species	200.00

36-902(a)	Allow or cause to pass into the waterway deleterious drugs, toxicants, chemicals, poisons, or electrical current to affect fish	500.00
36-902(c)	Use of explosives, poisons, nets, traps, spears or seines to take fish	500.00
(D) Miscellaneous Violations		
36-405(a) (3) (A)	Willfully make false statement on application for the purpose of obtaining wrong class license, tag or permit (per illegal document)	500.00
36-405(c) (1)	Purchase or possess wrong class license, tag or permit	500.00
36-501 and 36-1401(b)	Unlawful purchase or sale of wildlife/parts (per animal)	1,000.00
36-902(a)	Deposit destructive substances into waters	500.00
36-1101(b) (5)	Hunting with artificial light	500.00
36-1402(e) 1 and 36-1404(a)	Take/kill big game animal with aid of artificial light (per animal)	1,500.00
	Flagrant violation	
	Trophy animals	
	Deer, antelope	2,000.00
	Elk	5,000.00
	Goat, sheep, moose, caribou	10,000.00
36-1402(d) (e)	Hunt, fish or trap or purchase a license while such privileges are revoked	
	Idaho resident	500.00
	Nonresident	1,000.00
36-1603	Hunting in violation of no trespass signs	200.00
18-3312	Injuring another by careless handling of and discharge of firearms	300.00

(6) OUTFITTER AND GUIDE OFFENSES:

36-2104	Outfitting without a license	
	Idaho resident	200.00
	Nonresident	500.00
36-2104	Guiding without a license	
	Idaho resident	200.00
	Nonresident	500.00

36-2113 (a) (8)	Willfully operating as an outfitter in any area or for any activity for which he is not licensed	
	Idaho resident	200.00
	Nonresident	500.00
36-2113 (a) (9)	Employment of an unlicensed guide by an outfitter	
	Idaho resident	200.00
	Nonresident	500.00
(7) OTHER MISDEMEANOR OFFENSES:		
18-705	Resisting or obstructing an officer	300.00
18-6409	Disturbing the peace	206.00
18-6410	Assemble to disturb peace	206.00
23-615	Sale of liquor to underage person, etc.	260.00
23-603	Furnishing alcohol to a minor	260.00
25-221	Bringing in livestock without a health certificate	
	First animal in violation	224.00
	Each additional animal in violation	75.00
	(maximum of \$500.00)	
25-214A	Failing to stop at port of entry or checking station while transporting livestock. First animal in violation	224.00
	Each additional animal in violation	75.00
	(maximum of \$500.00)	
18-3908	Flooding the highway	151.00
18-7906	Stalking	No bond until court appearance
18-918	Domestic assault or battery.	No bond until court appearance
39-6312	Violation of protection order in domestic violence	No bond until court appearance
18-920	Violation of a no contact order	No bond until court appearance
67-7114	Operating snowmobile or all-terrain vehicle while under the influence	
	Idaho Resident	500.00
	Nonresident	2,000.00

(c) **Method of posting bond.** The bail bond required above under subsection (b) of this rule, or any other bail bond set by a judge, may be posted, and a receipt given therefore indicating thereon the time and place for appearance by the defendant, in any of the following manners:

(1) **Cash bail bond.** By depositing an amount in cash equal to the bail bond.

(2) **Checks and money orders.** By depositing a cashier's check, money order, or a personal check payable to the clerk of the court under such procedures as shall be established by the administrative district judge or where acceptance of the personal check has been approved by a magistrate or district judge.

(3) **Surety bail bond.** By depositing, in lieu of cash, a bond or bond certificate which guarantees payment of the amount of the bail bond in the event the person charged fails to appear when required by the court. A fidelity, surety, guaranty, title or trust company authorized to do business in the state of Idaho and authorized to become and be accepted as sole surety on undertakings and bonds may execute the written undertakings provided for in these rules, which may be accepted by the person receiving the bond without prior approval by a judge unless otherwise ordered by the administrative judge of the judicial district.

(4) **Property bail bond.** By depositing a property bail bond of property owners for the amount of bail, as provided by law. (This method may be used only if a magistrate approves and accepts the bond.)

(d) **Bail for violation of municipal or county ordinances.** Bail for the above described offenses defined by municipal or county ordinances which are similar to those described in this rule shall be in the same amounts as provided above.

5. That Misdemeanor Criminal Rule 14 be, and the same is hereby, amended to read as follows:

Rule 14. Disposition of citations by written plea of guilty – Limitations – Deferred payment agreements.

(a) **Written Plea of Guilty.** Subject to the limitations of subsection (b) of this rule, any person charged with a misdemeanor by a uniform citation or complaint may sign a written plea of guilty on the citation and pay the fine and court costs. The amount of the fine and court costs to be assessed for an offense under a written plea of guilty shall be the bail bond amount provided in Rule 13. Upon the entry of a written plea of guilty under this rule, the clerk shall enter a judgment of conviction and shall collect the payment of the fine and court costs or enter into a deferred payment agreement with the defendant as provided in Rule 8. If a defendant appears before a judge or magistrate, or if a judge or magistrate reviews the file of a defendant and finds that summary disposition under this rule is not appropriate, in either event the summary disposition under this Rule 14(a) shall not apply and the Court shall make disposition of the case.

(b) **Limitation on offenses for written plea of guilty.** A written plea of guilty can be accepted under subsection (a) of this rule only if the required bail bond under Rule 13 does not exceed:

- (1) ~~\$206.00~~ 256.00 for a motor vehicle offense.
- (2) ~~\$512.00~~ 562.00 for offenses under I.C. Sections 49-432, 49-432(2)(a), 49-432(2)(b) and 63-2441.
- (3) ~~\$4,033.50~~ 4083.50 for offenses under I.C. Sections 49-1001, 49-1002, 49-1004, and 49-1005; ~~\$351.00~~ 401.00 for violations of I.C. Sections 49-1427, and Rules under I.C. Section 67-2901A and ~~\$206.00~~ 256.00 for the other offenses listed under Rule 13(b)(3).
- (4) ~~\$121.00~~ 171.00 for any fish or game offense, except those where the citation indicates the offense requires suspension of a license or payment of a civil penalty.
- (5) ~~\$206.00~~ 256.00 for any other offense.

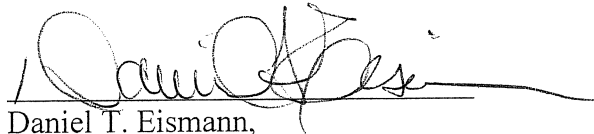
IT IS FURTHER ORDERED, that this order and these amendments shall be effective the 15th day of April, 2010.

IT IS FURTHER ORDERED, that the above designation of the striking of words from the Rules by lining through them, and the designation of the addition of new portions of the Rules by underlining such new portion is for the purposes of information only as amended, and NO OTHER AMENDMENTS ARE INTENDED. The lining through and underlining shall not be considered a part of the permanent Misdemeanor Criminal Rules.

IT IS FURTHER ORDERED, that the Clerk of the Court shall cause notice of this Order to be published in one issue of *The Advocate*.

DATED this 2nd day of April, 2010.

By Order of the Supreme Court



Daniel T. Eismann,
Chief Justice

ATTEST: Stephen Kenyon
Clerk

I, Stephen W. Kenyon, Clerk of the Supreme Court of the State of Idaho, do hereby certify that the above is a true and correct copy of the Order entered in the above entitled cause and now on record in my office.
WITNESS my hand and the Seal of this Court 4/2/10

STEPHEN W. KENYON

Clerk
By: Sam [Signature] Deputy